

REMARKS:

Claims 1-3, 9, 13-18, 23, 25-28 and 30-32 have been amended by this paper. Claims 1-32 remain pending in this application.

Support for the claim amendments may be found at page 6, lines 19-22 of the specification. No new matter has been added.

Claims 1-32 are rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 7,211,044. A terminal disclaimer is submitted herewith, thereby rendering the rejections moot.

Claims 1-4, 6-8, 10-22, 24-27 and 29-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,030,344 to Guracar et al. (the "Guracar reference") in view of U.S. Patent No. 5,526,816 to Arditi (the "Arditi reference"). The rejections are respectfully traversed.

At column 3, lines 38-48, the Guracar reference discloses acquiring first ultrasonic signal values for a region of interest at a first time and second ultrasonic signal values for the region of interest at a second time. The first and second ultrasonic values are used to create a histogram.

On page 4 of the Office action, the Examiner conceded that the Guracar reference does not disclose subtracting the second signal from the first signal to derive a time-varying difference signal, as required by the pending claims. Applicants submit that the Guracar reference also fails to disclose, among other things, the second period of time following a discrete ultrasound medical treatment and generating an indication that shows the effect of the discrete ultrasound medical treatment.

The Arditi reference discloses an ultrasonic imaging method that detects ultrasound backscatter from a region that contains a contrast agent. The resulting signals are processed through different channels tuned to specific frequencies, thereby enhancing the differences between tissue responses and contrast agent responses. Upon further processing, the signals reflected from the contrast agent are significantly enhanced over the signals reflected from ordinary tissue.

However, the Arditi reference does not disclose receiving a first signal prior to a discrete ultrasound medial treatment and a second signal after a discrete ultrasound medial treatment. Nor does the Arditi reference disclose generating an indication that shows the effect of the

discrete ultrasound medical treatment.

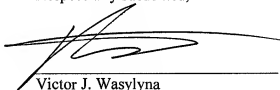
Accordingly, the combination of the Guracar and Arditi references fails to disclose, among other things, (1) signal timing based upon the occurrence of a discrete ultrasound medical treatment and (2) generating an indication that shows the effect of the discrete ultrasound medical treatment. Inasmuch as the combination of the Guracar and Arditi references fails to disclose each and every limitation of the pending claims, Applicants submit that the asserted combination fails to establish a prima facie case of obviousness. Withdrawal of the rejections of claims 1-4, 6-8, 10-22, 24-27 and 29-32 is respectfully requested.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Guracar reference in view of the Arditi reference, and further in view of U.S. Patent No. 6,315,723 to Robinson et al. The rejection of claim 5 is respectfully traversed for the reasons expressed above.

Claims 9, 23 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Guracar reference in view of the Arditi reference, and further in view of U.S. Patent No. 6,540,700 to Fujimoto et al. The rejections of claims 9, 23 and 28 are respectfully traversed for the reasons expressed above.

Accordingly, for the foregoing reasons, Applicants submit that the pending claims are in condition for allowance. Prompt action is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Victor J. Wasylyna', is written over a horizontal line.

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